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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1902

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State of Washington

63rd Legislature

2014 Regular Session

By House Transportation (originally sponsored by Representatives Holy, Shea, Short, Clibborn, Schmick, Ormsby, Fagan, Crouse, Riccelli, Blake, and Kristiansen)

READ FIRST TIME 01/27/14.

1 AN ACT Relating to the creation of intermittent-use trailer license  
2 plates; amending RCW 46.17.220, 46.16A.200, 46.18.277, and 46.19.060;  
3 adding a new section to chapter 46.18 RCW; adding a new section to  
4 chapter 46.04 RCW; and prescribing penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.18 RCW  
7 to read as follows:

8 (1) A registered owner may apply to the department, county auditor  
9 or other agent, or subagent appointed by the director for an  
10 intermittent-use trailer license plate for an intermittent-use trailer.  
11 The applicant for the intermittent-use trailer license plate must:

12 (a) Purchase a registration for the intermittent-use trailer as  
13 required under chapters 46.16A and 46.17 RCW; and

14 (b) Pay the special license plate fee established under RCW  
15 46.17.220(1)(k).

16 (2) A person applying for an intermittent-use trailer license plate  
17 may:

18 (a) Receive an intermittent-use trailer license plate assigned by  
19 the department; or

1 (b) Provide an actual Washington state issued license plate  
2 designated for general use in the year of the intermittent-use  
3 trailer's manufacture.

4 (3) Intermittent-use trailer license plates:

5 (a) Are valid for the life of the intermittent-use trailer;

6 (b) Are not required to be renewed; and

7 (c) Must be displayed on the rear of the intermittent-use trailer.

8 (4) If the owner of an intermittent-use trailer obtains an  
9 intermittent-use trailer license plate and then sells, transfers, or  
10 otherwise conveys the intermittent-use trailer to another individual or  
11 entity, the intermittent-use trailer license plate must be removed  
12 prior to the sale, transfer, or conveyance and the new owner of the  
13 intermittent-use trailer must obtain a new registration and appropriate  
14 license plate.

15 (5) Any person who knowingly provides a false or facsimile license  
16 plate under subsection (2)(b) of this section is subject to a traffic  
17 infraction and fine in an amount equal to the monetary penalty for a  
18 violation of RCW 46.16A.200(7)(b). Additionally, the person must pay  
19 for the cost of an intermittent-use trailer license plate as listed  
20 under RCW 46.17.220(1)(k), unless already paid.

21 (6) A person that is determined to be in violation of this section  
22 is subject to a traffic infraction of a maximum fine of one hundred  
23 fifty dollars including all other applicable assessments and fees.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04 RCW  
25 to read as follows:

26 "Intermittent-use trailer" means a trailer in good working order  
27 that is used only for participation in club activities, exhibitions,  
28 tours, and parades, and for occasional pleasure use. For purposes of  
29 this section, "occasional pleasure use" means use of an intermittent  
30 trailer that is not general or daily, but seasonal or sporadic and not  
31 more than once per week on average.

32 **Sec. 3.** RCW 46.17.220 and 2013 c 286 s 2 are each amended to read  
33 as follows:

34 (1) In addition to all fees and taxes required to be paid upon  
35 application for a vehicle registration in chapter 46.16A RCW, the

1 holder of a special license plate shall pay the appropriate special  
 2 license plate fee as listed in this section.

3	PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
4	(a) 4-H	\$ 40.00	\$ 30.00	RCW 46.68.420
5	(b) Amateur radio license	\$ 5.00	N/A	RCW 46.68.070
6	(c) Armed forces	\$ 40.00	\$ 30.00	RCW 46.68.425
7	(d) Baseball stadium	\$ 40.00	\$ 30.00	Subsection (2) of this
8				section
9	(e) Collector vehicle	\$ 35.00	N/A	RCW 46.68.030
10	(f) Collegiate	\$ 40.00	\$ 30.00	RCW 46.68.430
11	(g) Endangered wildlife	\$ 40.00	\$ 30.00	RCW 46.68.425
12	(h) Gonzaga University	\$ 40.00	\$ 30.00	RCW 46.68.420
13	alumni association			
14	(i) Helping kids speak	\$ 40.00	\$ 30.00	RCW 46.68.420
15	(j) Horseless carriage	\$ 35.00	N/A	RCW 46.68.030
16	(k) <u>Intermittent-use trailer</u>	<u>\$187.50</u>	<u>N/A</u>	<u>RCW 46.68.030</u>
17	<u>(l)</u> Keep kids safe	\$ 45.00	\$ 30.00	RCW 46.68.425
18	<del>((h))</del> <u>(m)</u> Law enforcement	\$ 40.00	\$ 30.00	RCW 46.68.420
19	memorial			
20	<del>((m))</del> <u>(n)</u> Military affiliate	\$ 5.00	N/A	RCW 46.68.070
21	radio system			
22	<del>((n))</del> <u>(o)</u> Music matters	\$ 40.00	\$ 30.00	RCW 46.68.420
23	<del>((o))</del> <u>(p)</u> Professional	\$ 40.00	\$ 30.00	RCW 46.68.420
24	firefighters and			
25	paramedics			
26	<del>((p))</del> <u>(q)</u> Ride share	\$ 25.00	N/A	RCW 46.68.030
27	<del>((q))</del> <u>(r)</u> Seattle Seahawks	\$40.00	\$30.00	RCW 46.68.420
28	<del>((r))</del> <u>(s)</u> Seattle Sounders FC	\$40.00	\$30.00	RCW 46.68.420
29	<del>((s))</del> <u>(t)</u> Share the road	\$ 40.00	\$ 30.00	RCW 46.68.420
30	<del>((t))</del> <u>(u)</u> Ski & ride	\$ 40.00	\$ 30.00	RCW 46.68.420
31	Washington			
32	<del>((u))</del> <u>(v)</u> Square dancer	\$ 40.00	N/A	RCW 46.68.070
33	<del>((v))</del> <u>(w)</u> State flower	\$ 40.00	\$ 30.00	RCW 46.68.420
34	<del>((w))</del> <u>(x)</u> Volunteer	\$ 40.00	\$ 30.00	RCW 46.68.420
35	firefighters			

1	<del>((x))</del> <u>(y)</u> Washington	\$ 40.00	\$ 30.00	RCW 46.68.420
2	lighthouses			
3	<del>((y))</del> <u>(z)</u> Washington state	\$ 40.00	\$ 30.00	RCW 46.68.425
4	parks			
5	<del>((z))</del> <u>(aa)</u> Washington's	\$ 40.00	\$ 30.00	RCW 46.68.420
6	national parks			
7	<del>((aa))</del> <u>(bb)</u> Washington's	\$ 40.00	\$ 30.00	RCW 46.68.425
8	wildlife collection			
9	<del>((bb))</del> <u>(cc)</u> We love our pets	\$ 40.00	\$ 30.00	RCW 46.68.420
10	<del>((ee))</del> <u>(dd)</u> Wild on	\$ 40.00	\$ 30.00	RCW 46.68.425
11	Washington			

12 (2) After deducting administration and collection expenses for the  
13 sale of baseball stadium license plates, the remaining proceeds must be  
14 distributed to a county for the purpose of paying the principal and  
15 interest payments on bonds issued by the county to construct a baseball  
16 stadium, as defined in RCW 82.14.0485, including reasonably necessary  
17 preconstruction costs, while the taxes are being collected under RCW  
18 82.14.360. After this date, the state treasurer shall credit the funds  
19 to the state general fund.

20 **Sec. 4.** RCW 46.16A.200 and 2011 c 171 s 46 are each amended to  
21 read as follows:

22 (1) **Design.** All license plates may be obtained by the director  
23 from the metal working plant of a state correctional facility or from  
24 any source in accordance with existing state of Washington purchasing  
25 procedures. License plates:

26 (a) May vary in background, color, and design;

27 (b) Must be legible and clearly identifiable as a Washington state  
28 license plate;

29 (c) Must designate the name of the state of Washington without  
30 abbreviation;

31 (d) Must be treated with fully reflectorized materials designed to  
32 increase visibility and legibility at night;

33 (e) Must be of a size and color and show the registration period as  
34 determined by the director; and

35 (f) Before July 1, 2010, may display a symbol or artwork approved  
36 by the former special license plate review board and the legislature.

1 Beginning July 1, 2010, special license plate series approved by the  
2 department and enacted into law by the legislature may display a symbol  
3 or artwork approved by the department.

4 (2) **Exceptions to reflectorized materials.** License plates issued  
5 before January 1, 1968, are not required to be treated with  
6 reflectorized materials.

7 (3) **Dealer license plates.** License plates issued to a dealer must  
8 contain an indication that the license plates have been issued to a  
9 vehicle dealer.

10 (4)(a) **Furnished.** The director shall furnish to all persons making  
11 satisfactory application for a vehicle registration:

12 (i) Two identical license plates each containing the license plate  
13 number; or

14 (ii) One license plate if the vehicle is a trailer, semitrailer,  
15 intermittent-use trailer, camper, moped, collector vehicle, horseless  
16 carriage, or motorcycle.

17 (b) The director may adopt types of license plates to be used as  
18 long as the license plates are legible.

19 (5)(a) **Display.** License plates must be:

20 (i) Attached conspicuously at the front and rear of each vehicle if  
21 two license plates have been issued;

22 (ii) Attached to the rear of the vehicle if one license plate has  
23 been issued;

24 (iii) Kept clean and be able to be plainly seen and read at all  
25 times; and

26 (iv) Attached in a horizontal position at a distance of not more  
27 than four feet from the ground.

28 (b) The Washington state patrol may grant exceptions to this  
29 subsection if the body construction of the vehicle makes compliance  
30 with this section impossible.

31 (6) **Change of license classification.** A person who has altered a  
32 vehicle that makes the current license plate or plates invalid for the  
33 vehicle's use shall:

34 (a) Surrender the current license plate or plates to the  
35 department, county auditor or other agent, or subagent appointed by the  
36 director;

37 (b) Apply for a new license plate or plates; and

1 (c) Pay a change of classification fee required under RCW  
2 46.17.310.

3 (7) **Unlawful acts.** It is unlawful to:

4 (a) Display a license plate or plates on the front or rear of any  
5 vehicle that were not issued by the director for the vehicle;

6 (b) Display a license plate or plates on any vehicle that have been  
7 changed, altered, or disfigured, or have become illegible;

8 (c) Use holders, frames, or other materials that change, alter, or  
9 make a license plate or plates illegible. License plate frames may be  
10 used on license plates only if the frames do not obscure license tabs  
11 or identifying letters or numbers on the plates and the license plates  
12 can be plainly seen and read at all times;

13 (d) Operate a vehicle unless a valid license plate or plates are  
14 attached as required under this section;

15 (e) Transfer a license plate or plates issued under this chapter  
16 between two or more vehicles without first making application to  
17 transfer the license plates. A violation of this subsection (7)(e) is  
18 a traffic infraction subject to a fine not to exceed five hundred  
19 dollars. Any law enforcement agency that determines that a license  
20 plate or plates have been transferred between two or more vehicles  
21 shall confiscate the license plate or plates and return them to the  
22 department for nullification along with full details of the reasons for  
23 confiscation. Each vehicle identified in the transfer will be issued  
24 a new license plate or plates upon application by the owner or owners  
25 and the payment of full fees and taxes; or

26 (f) Fail, neglect, or refuse to endorse the registration  
27 certificate and deliver the license plate or plates to the purchaser or  
28 transferee of the vehicle, except as authorized under this section.

29 (8) **Transfer.** (a) Standard issue license plates follow the vehicle  
30 when ownership of the vehicle changes unless the registered owner  
31 wishes to retain the license plates and transfer them to a replacement  
32 vehicle of the same use. A registered owner wishing to keep standard  
33 issue license plates shall pay the license plate transfer fee required  
34 under RCW 46.17.200(1)(c) when applying for license plate transfer.

35 (b) Special license plates and personalized license plates may be  
36 treated in the same manner as described in (a) of this subsection  
37 unless otherwise limited by law.

1 (c) License plates issued to the state or any county, city, town,  
2 school district, or other political subdivision entitled to exemption  
3 as provided by law may be treated in the same manner as described in  
4 (a) of this subsection.

5 (9) **Replacement.** (a) An owner or the owner's authorized  
6 representative shall apply for a replacement license plate or plates if  
7 the current license plate or plates assigned to the vehicle have been  
8 lost, defaced, or destroyed, or if one or both plates have become so  
9 illegible or are in such a condition as to be difficult to distinguish.  
10 An owner or the owner's authorized representative may apply for a  
11 replacement license plate or plates at any time the owner chooses.

12 (b) The application for a replacement license plate or plates must:

13 (i) Be on a form furnished or approved by the director; and

14 (ii) Be accompanied by the fee required under RCW 46.17.200(1)(a).

15 (c) The department shall not require the payment of any fee to  
16 replace a license plate or plates for vehicles owned, rented, or leased  
17 by foreign countries or international bodies to which the United States  
18 government is a signatory by treaty.

19 (10) **Periodic replacement.** License plates must be replaced  
20 periodically to ensure maximum legibility and reflectivity. The  
21 department shall:

22 (a) Use empirical studies documenting the longevity of the  
23 reflective materials used to make license plates;

24 (b) Determine how frequently license plates must be replaced; and

25 (c) Offer to owners the option of retaining the current license  
26 plate number when obtaining replacement license plates for the fee  
27 required in RCW 46.17.200(1)(b).

28 (11) **Periodic replacement--Exceptions.** The following license  
29 plates are not required to be periodically replaced as required in  
30 subsection (10) of this section:

31 (a) Horseless carriage license plates issued under RCW 46.18.255  
32 before January 1, 1987;

33 (b) Congressional Medal of Honor license plates issued under RCW  
34 46.18.230;

35 (c) License plates for commercial motor vehicles with a gross  
36 weight greater than twenty-six thousand pounds.

37 (12) **Rules.** The department may adopt rules to implement this  
38 section.

1 (13) **Tabs or emblems.** The director may issue tabs or emblems to be  
2 attached to license plates or elsewhere on the vehicle to signify  
3 initial registration and renewals. Renewals become effective when tabs  
4 or emblems have been issued and properly displayed on license plates.

5 **Sec. 5.** RCW 46.18.277 and 2010 c 161 s 627 are each amended to  
6 read as follows:

7 (1) A registered owner may purchase personalized license plates  
8 with a special license plate background for any vehicle required to  
9 display one or two vehicle license plates, excluding:

- 10 (a) Amateur radio license plates;
- 11 (b) Collector vehicle license plates;
- 12 (c) Disabled American veteran license plates;
- 13 (d) Former prisoner of war license plates;
- 14 (e) Horseless carriage license plates;
- 15 (f) Intermittent-use trailer license plates;
- 16 (g) Congressional Medal of Honor license plates;
- 17 ~~((g))~~ (h) Military affiliate radio system license plates;
- 18 ~~((h))~~ (i) Pearl Harbor survivor license plates;
- 19 ~~((i))~~ (j) Restored license plates; and
- 20 ~~((j))~~ (k) Vehicles registered under chapter 46.87 RCW.

21 (2) Personalized special license plates issued under this section  
22 must:

- 23 (a) Consist of numbers or letters or any combination of numbers or  
24 letters;
- 25 (b) Not exceed seven characters; and
- 26 (c) Not contain less than one character.

27 (3) The department may not issue or may refuse to issue  
28 personalized special license plates that:

29 (a) Duplicate or conflict with existing or projected vehicle  
30 license plate series or other numbering systems for records kept by the  
31 department; or

32 (b) May carry connotations offensive to good taste and decency or  
33 which would be misleading.

34 (4) Personalized special license plates must be issued only to the  
35 registered owner of the vehicle on which they are to be displayed. The  
36 registered owner must:

1 (a) Pay both the personalized license plate fee required under RCW  
2 46.17.210 and the special license plate fee required under the  
3 applicable special license plate provision, in addition to any other  
4 fee or taxes due. License plate fees must be distributed as provided  
5 in chapter 46.68 RCW;

6 (b) Renew personalized special license plates annually, regardless  
7 of whether or not the vehicle on which the personalized special license  
8 plates are displayed will be driven on the public highways;

9 (c) Surrender personalized special license plates that have not  
10 been renewed to the department. The failure to surrender expired  
11 personalized special license plates is a traffic infraction; and

12 (d) Immediately report to the department when personalized special  
13 license plates have been transferred to another vehicle or another  
14 owner.

15 (5) The department may establish rules as necessary to carry out  
16 this section including, but not limited to, identifying the maximum  
17 number of positions on personalized special license plates for  
18 motorcycles.

19 **Sec. 6.** RCW 46.19.060 and 2012 c 71 s 1 are each amended to read  
20 as follows:

21 (1) An additional fee may not be charged for special license plates  
22 for persons with disabilities except for any other fees and taxes  
23 required to be paid upon registration of a motor vehicle.

24 (2) A registered owner who qualifies for special parking privileges  
25 as described in RCW 46.19.010 may apply to the department for special  
26 license plates for persons with disabilities or special license plates  
27 with a special year tab for persons with disabilities. Special license  
28 plates with a special year tab for persons with disabilities are  
29 available on any special license plate created under chapter 46.18 RCW,  
30 except ((the)) collector vehicle license plates, horseless carriage  
31 license plates, intermittent-use trailer license plates, and ride share  
32 ((special)) license plates.

33 (3) A registered owner who chooses to purchase special license  
34 plates as described in subsection (2) of this section shall pay the  
35 applicable special license plate fee, in addition to any other fees or  
36 taxes required for registering a motor vehicle.

1           (4) Special license plates for persons with disabilities or special  
2 license plates with a special year tab for persons with disabilities  
3 must be renewed in the same manner and at the time required for the  
4 renewal of standard motor vehicle license plates under chapter 46.16A  
5 RCW.

6           (5) Special license plates for persons with disabilities or special  
7 license plates with a special year tab for persons with disabilities  
8 may be transferred from one motor vehicle to another motor vehicle  
9 owned by the person with the parking privilege upon application to the  
10 department, county auditor or other agent, or subagent appointed by the  
11 director.

12           (6) Special license plates for persons with disabilities or special  
13 license plates with a special year tab for persons with disabilities  
14 must be removed from the motor vehicle when the person with  
15 disabilities transfers or assigns his or her interest in the motor  
16 vehicle.

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